

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN E. HERNANDEZ,

Defendant.

Case No. MJ22-299-1

DETENTION ORDER

Offenses charged:

Mr. Hernandez is charged with possession of a controlled substance with intent to distribute, 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 18 U.S.C. § 2. The Court held a detention hearing on July 8, 2022, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. There is a rebuttable presumption that the court cannot set conditions to ensure the appearance of the defendant of the safety of community pursuant to 18 U.S.C. § 3142(e).
2. Mr. Hernandez stipulated to detention.

1 3. Mr. Hernandez poses a risk of nonappearance due to his history of failures to
2 appear. In addition, his personal history and ties to this district are unknown. Mr.
3 Hernandez poses a risk of danger due to the nature of the offense. Based on these
4 findings, and for the reasons stated on the record, there does not appear to be any
5 condition or combination of conditions that will reasonably assure Mr. Hernandez
6 appearance at future court hearings while addressing the danger to other persons or
7 the community.

8 4. Taken as a whole, the record does not effectively rebut the presumption that no
9 condition or combination of conditions will reasonably assure the appearance of
10 Mr. Hernandez as required and the safety of the community.

11 IT IS THEREFORE ORDERED:

12 (1) Mr. Hernandez shall be detained pending trial, and committed to the custody of
13 the Attorney General for confinement in a correction facility separate, to the
14 extent practicable, from persons awaiting or serving sentences or being held in
15 custody pending appeal;

16 (2) Mr. Hernandez shall be afforded reasonable opportunity for private consultation
17 with counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 government, the person in charge of the corrections facility in which Mr.
20 Hernandez is confined shall deliver him to a United States Marshal for the
21 purpose of an appearance in connection with a court proceeding; and

22 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
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1 counsel for Mr. Hernandez, to the United States Marshal, and to the United
2 States Pretrial Services Officer.

3 Dated this 8 day of July, 2022.

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6 MICHELLE L. PETERSON
7 United States Magistrate Judge
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